NEIL ABERCROMBIE
GOVERNOR

TED SAKAI
DIRECTOR

Martha Torney
Deputy Director
Administration

Max Otani
Deputy Director
Corrections

Shawn Tsuha
Deputy Director
Law Enforcement

STATE OF HAWAII
NARCOTICS ENFORCEMENT DIVISION
Department of Public Safety
3375 Koapaka Street, Suite D-100
Honolulu, Hawaii 96819

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NOTICE OF FEDERAL SCHEDULING ACTIONS

Section 329-11(d) states that if a substance is added, deleted or rescheduled under federal law and notice of the designation is given to the department then the department shall recommend to the legislature that a corresponding change in Hawaii law be made. The Department was given notice that the following depressant drug was placed into Schedule III by the Federal Government:

Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl) benzonitrile], including its salts, isomers, and salts of isomers

On December 2, 2013 the Deputy Administrator of the Drug Enforcement Administration (DEA) placed the substance perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl) benzonitrile], including its salts, isomers, and salts of isomers, into schedule III of the Controlled Substances Act (CSA). This scheduling action is pursuant to the CSA which requires that such actions be made on the record after opportunity for a hearing through formal rulemaking. This action imposes the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule III controlled substances on persons who handle (manufacture, distribute, dispense, import, export, engage in research, conduct instructional activities with, or possess) or propose to handle perampanel.

Section 329-18, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:
"(c) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;
(2) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;
(3) Any substance that contains any quantity of a derivative of barbituric acid or any salt thereof, including the substance butalbital;
(4) Chlorhexadol;
(5) Embutramide (Tributame);

(6) Ketamine, its salts, isomers, and salts of isomers, also known as (+ or -)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
(7) Lysergic acid;
(8) Lysergic acid amide;
(9) Methyprylon;
(10) Sulfondiethylmethane;
(11) Sulfonethylmethane;
(12) Sulfonmethane;
(13) Tiletamine/Zolazepam (Telazol, 2-(ethylamino)-2-(-thienyl)-cyclohexanone, flupyrazapon) or any salts thereof; [~~and~~]
(14) Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers that are contained in a drug product for which an application has been approved under section 505 of the federal Food, Drug, and Cosmetic Act[~~.~~]; and
(15) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-dihydropyridin-3-yl) benzonitrile], including its salts, isomers, and salts of isomers.

This Federal scheduling changes shall take effect on **January 2, 2014** as required under Section 329-11(d) HRS.